

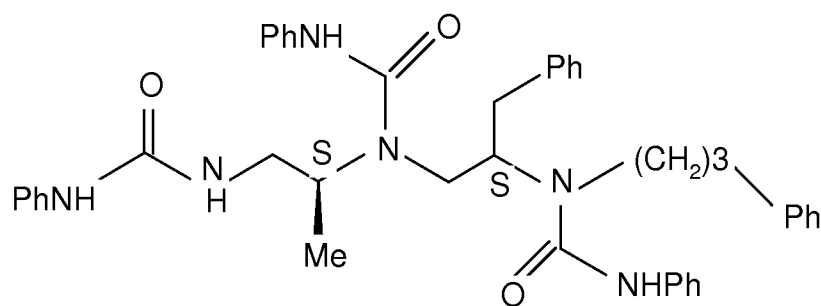
REMARKS

Claims 69-87 are pending. Claims 69-82 are under examination. Claims 69, 72-75, 78 and 83 have been amended. New claims 88-129 have been added. Support for the amendments and new claims can be found throughout the specification and the claims as filed. In particular, support for the amendment to claims 69 and 75 and new claims 88-129 can be found in cancelled claims 70 and 76. Accordingly, these amendments and new claims do not raise an issue of new matter and entry thereof is respectfully requested.

Rejections Under 35 USC §102

The rejection of claims 69, 70 and 72-74 under 35 USC §102(b) as being anticipated by Nefzi et al., Tetrahedron Letters 41:5441-5446 (2000), is respectfully traversed. Applicants respectfully submit that the claims are novel over Nefzi et al.

Nefzi, et al. disclose a two-step synthesis of mono-, di-, and triureas from amides. The Examiner states that Nefzi, et al. disclose compounds embraced by claims 69-70 and 72-74 of the present invention. The Examiner also states that the following compound



particularly supports his anticipation rejection, because in the opinion of the Examiner, it is embraced by Applicants' claims.

Applicants respectfully submit that the above described compound is not embraced by Applicants' claims for the following reasons. First, Nefzi, et al. disclose at the second carbon between the first and second ureas of the triurea structure a stereo specific IS-methyl group. In contrast, at Applicants' corresponding carbon position which is between the first and second urea group, Applicants provide for the groups defined by R₁ of the claims. None of the moieties

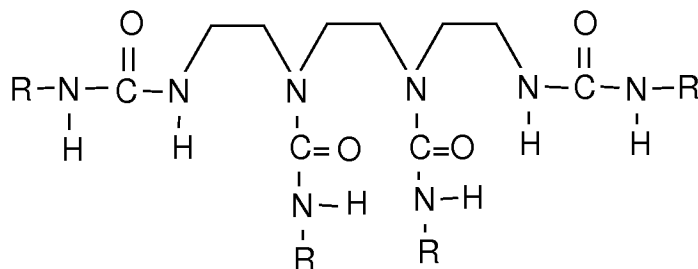
defined by R_1 are methyl. In fact, the majority of moieties defined by R_1 provide for a phenyl or a fused unsaturated ring system. Secondly, Nefzi, et al. disclose a phenylpropyl substituent off the nitrogen bearing the carbonyl and phenyl amino groups. This position of Nefzi's structure would correspond to Applicants' R_3 position. None of the moieties defined by R_3 of Applicants' claims provide for a phenylpropyl moiety. With respect to the remaining disclosure of Nefzi (compounds of Table 3), Applicants respectfully submit that none of these compounds would read on Applicants' invention as defined by the subject claims because none of Applicants' compound contain the boron nitride (BN) moiety of Nefzi's compounds.

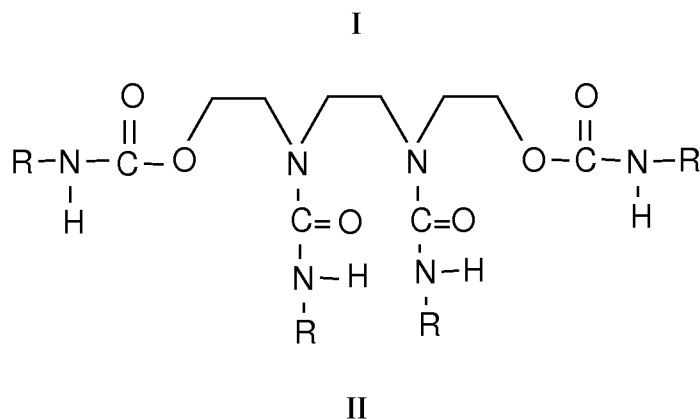
Under 35 U.S.C. §102, anticipation requires that a single prior art reference discloses each and every element of Applicant's claimed invention. *Akzo N.V. v. U.S. International Trade Commission*, 808 F.2d 1471, 1479, 1 USPQ 2d. 1241, 1245 (Fed. Cir. 1986). Moreover, anticipation is not shown even if the differences between the claims and the prior art are "insubstantial" and one skilled in the art could supply the missing elements. *Structure Rubber Products Co. v. Park Rubber Co.*, 749 F. 2d 707, 716, 223 USPQ 1264, 1270 (Fed. Cir. 1984).

Applicants respectfully submit that Nefzi et al. does not teach the claimed agents and, therefore, cannot anticipate the claims. Accordingly, Applicants respectfully request that this rejection be withdrawn.

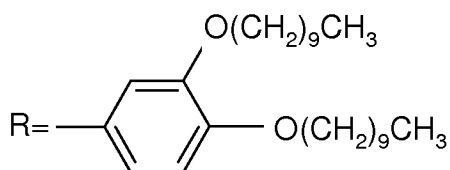
The rejection of claims 69, 70 and 72-74 under 35 U.S.C. § 102(b) as allegedly anticipated by Stebani et al., *J. Materials Chem.* 7:607-614 (1997), is respectfully traversed. Applicants respectfully submit that the claims are novel over Stebani et al.

Stebani, et al. disclose derivatives of oligoethylene amines and amino ethers with amide, ester, urea or urethane functions. Stebani et al. further disclose that the urea or urethane structures have the following formulas.





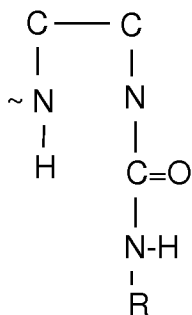
wherein



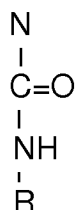
Applicants' compounds, as defined by claims 69-70 and 72-74, differ from the Stebanis' compounds in the following ways:

First, Stebani compounds are substituted by a dialkoxy phenyl moiety; Applicants compounds are substituted by unsubstituted phenyl at the corresponding position (phenyl NH).

Secondly, Stebani in the following group

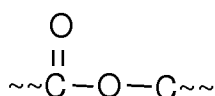


provides for the second carbon to be substituted by $\sim\text{N}-\text{C}=\text{O}-\text{N}-\text{H}-\text{R}$; wherein R is defined by dialkoxy substituted phenyl: Applicants' structure does not provide for a dialkoxy substituted phenyl. Also the carbon bearing the following group



is not further substituted by Stebani but is further substituted in Applicants' structure (see definitions for R₁). Also, Stebani does not provide for Applicants' R₂ and R₃ substituents which are defined in the amended claims.

Thirdly, Stebani in structure II provides for a



group. No such group is found in Applicants' compound.

Applicants respectfully submit that Stebani et al. does not teach the claimed agents and, therefore, cannot anticipate the claims. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Rejection Under 35 USC §112, Second Paragraph

The rejection of claims 69-82 under 35 USC §112, second paragraph, as allegedly indefinite is respectfully traversed. Applicants respectfully submit that the rejection of claims 70, 71, 76 and 77 has been rendered moot by the cancellation of these claims. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn.

Regarding the rejection of claims 69 and 75, these claims have been amended as suggested by the Examiner to incorporate the definitions of the R groups from dependent claims 70 and 76, respectively. Applicants respectfully submit that independent claims 69 and 75 and dependent claims 72-74 and 78-82 are clear and definite and respectfully request that this rejection be withdrawn.

In light of the amendments and remarks herein, Applicants submit that the claims are now in condition for allowance and respectfully request a notice to this effect. The Examiner is invited to call the undersigned agent if there are any questions.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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